

RANALLI ZANIEL FOWLER & MORAN, LLC  
2340 WEST HORIZON RIDGE PARKWAY, SUITE 100  
HENDERSON, NEVADA 89052  
TELEPHONE: (702) 477-7774 FAX: (702) 477-7778

**SAO**  
**GEORGE M. RANALLI, ESQ.**  
Nevada Bar No. 5748  
**JASON ANDREW FOWLER, ESQ.**  
Nevada Bar No. 8071  
**RANALLI ZANIEL FOWLER & MORAN, LLC**  
2340 W. Horizon Ridge Parkway, Suite 100  
Henderson, Nevada 89052  
[ranalliservice@ranallilawyers.com](mailto:ranalliservice@ranallilawyers.com)  
Attorneys for Defendant,  
**WALGREEN, CO.**

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEVADA**

RUFANEL KEBEDE MULUGETA,	)	
	)	Case No.: 2:23-cv-00881-RFB-DJA
Plaintiff,	)	
	)	
vs.	)	
	)	
WALGREEN CO, a foreign	)	
Corporation; RADIENZ LIVING	)	
fka U.S. NONWOVENS, Foreign	)	
LLC, NEW SPS POD, LLC dba	)	
RADIENZ LIVING, a Foreign LLC;	)	
DOES I through X; and ROE )	)	
CORPORATIONS II through X,	)	
inclusive,	)	
	)	
Defendants.	)	

**STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES (FIRST REQUEST)**

Plaintiff RUFANEL KEBEDE MULUGETA and Defendants WALGREEN CO, by and through their respective counsel of record, do hereby stipulate to extend the discovery cutoff in the present case for a period of three months.

Pursuant to Local Rule 2.25, the parties hereby aver that this is the first discovery extension requested in this matter.

**DISCOVERY COMPLETED TO DATE**

1. The parties conducted the FRCP 26(f) conference
2. Defendant, Walgreen, Co's Initial Requests for Admissions, Interrogatories, and Request for Production of Documents to Plaintiff served on July 17, 2023;
3. Plaintiff's Responses to Defendant's Initial Request for Admissions, Interrogatories, and Request for Production of Documents served on August 9, 2023;
4. Plaintiff's Supplemental Answer's to Defendant's Initial Interrogatories served on October 31, 2023;
5. Defendant, Walgreen, Co's Second Requests for Admissions to Plaintiff served on October 4, 2023;
6. Plaintiff's Responses to Defendant's Second Set of Request for Admissions served on October 30, 2023;
7. Plaintiff's Request for Admissions, Interrogatories, and Request for Production of Documents to Defendant, Walgreen, Co served on September 11, 2023;
8. Defendant, Walgreen, Co's Responses to Plaintiff's First Set of Request for Admissions served on November 13, 2023;
9. Defendant, Walgreen, Co's Responses to Plaintiff's First Set of Interrogatories served on November 22, 2023;
10. Errata to Defendant, Walgreen, Co's Responses to Plaintiff's First Set of Interrogatories served on November 30, 2023;
11. Defendant, Walgreen, Co's Initial FRCP 26f(f) Disclosure dated June 29, 2023;
12. Defendant, Walgreen, Co's First Supplemental FRCP 26f(f) Disclosure dated

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- 1 July 26, 2023;
- 2 13. Defendant, Walgreen, Co's Second Supplemental FRCP 26f(f) Disclosure dated
- 3 August 31, 2023;
- 4 14. Defendant, Walgreen, Co's Third Supplemental FRCP 26f(f) Disclosure dated
- 5 September 29, 2023;
- 6 15. Defendant, Walgreen, Co's Fourth Supplemental FRCP 26f(f) Disclosure dated
- 7 November 7, 2023;
- 8 16. Defendant, Walgreen, Co's Fifth Supplemental FRCP 26f(f) Disclosure dated
- 9 November 22, 2023;
- 10 17. Defendant, Walgreen, Co's Sixth Supplemental FRCP 26f(f) Disclosure dated
- 11 January 10, 2024;
- 12 18. Defendant, Walgreen, Co's Seventh Supplemental FRCP 26f(f) Disclosure dated
- 13 January 23, 2024;
- 14 19. Plaintiff's Initial FRCP 26f(f) Disclosure dated June 21, 2023;
- 15 20. Plaintiff's First Supplemental FRCP 26f(f) Disclosure dated August 7, 2023;
- 16 21. Plaintiff's Second Supplemental FRCP 26f(f) Disclosure dated March 1, 2024;

**DISCOVERY TO BE COMPLETED AND**  
**REASONS FOR EXTENSION OF DISCOVERY**

- 19 1. Retention and disclosure of initial and rebuttal expert witnesses;
- 20 2. Continue obtaining records regarding Plaintiff, Rufael Kebede Mulugeta;
- 21 3. Depositions of parties;
- 22 4. Depositions of expert witnesses, physicians, and the Person Most Knowledgeable
- 23 from Plaintiff's medical providers relevant to treatment rendered to Plaintiff
- 24

1 since the date of this accident;

2 5. Any other discovery which may be determined as relevant and necessary by the  
3 parties.

4 The parties aver, pursuant to Local Rule 2.25, that good cause exists for the requested  
5 extension. The parties have been diligently conducting discovery in this matter.

6 Difficulties getting the new Defendants to appear in the case have, however, necessitated  
7 delaying the deposition of Plaintiff so that it does not have be conducted multiple times. This is  
8 especially important since Plaintiff lives out of state and the parties intended to conduct his  
9 deposition in person in Oregon, increasing the cost of conducting discovery. Defendant NEW  
10 SPS POD, LLC has only recently appeared and their posture in the case until they were  
11 dismissed this week delayed conducting discovery including Plaintiff's deposition. Defendant  
12 RADIENZ LIVING fka U.S. NONWOVENS it has now been learned is in bankruptcy in  
13 Federal Bankruptcy Court in Delaware, Case No. and the parties, neither of whom's Counsel are  
14 bankruptcy lawyers, are diligently trying to either obtain their involvement through their insurer  
15 or to determine if the status of the bankruptcy would dictate a stay in this case as to all parties,  
16 further complicating and delaying discovery. In light of these complications the now active  
17 Defendants believe that good cause exists to extend discovery.

18 In light of this, the parties have agreed to and are seeking a ninety (90) day extension to  
19 allow the parties to conduct the necessary discovery.

20 ///

21 ///

22 ///

23 ///

24

**PROPOSED SCHEDULE OF DISCOVERY**

The parties hereby stipulate to continue the Discovery as follows:

	<b>Current Deadline</b>	<b>Proposed Deadline</b>
Discovery Cut off:	7/1/2024	9/30/2024
Dispositive Motions:	7/31/2024	10/29/2024
L/D Amend Pleadings:	5/2/2024	7/31/2024
Expert Disclosure:	5/2/2024	7/31/2024
Rebuttal Expert:	6/3/2024	9/3/2024
Joint Pre Trial Order:	8/30/2024	11/27/2024 or 30 days after resolution of dispositive motions per Local Rule 26-1(e)(5)

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The parties aver that this request for an extension of discovery deadlines is made by the parties in good faith and not for the purpose of delay.

DATED March 28, 2024

**MOSS BERG INJURY LAWYERS**

Marcus A. Berg

**MARCUS A. BERG, ESQ.**

Nevada Bar No. 9760

**BOYD B. MOSS, III, ESQ.**

Nevada Bar No. 8856

5420 W. Sahara Ave., Suite 101

Las Vegas, Nevada 89146

*Attorneys for Plaintiff*

DATED March 28, 2024

**RANALLI ZANIEL FOWLER & MORAN**

*Jason Andrew Fowler, Esq.*

**GEORGE M. RANALLI, ESQ.**

Nevada Bar No. 5748

**JASON ANDREW FOWLER, ESQ.**

Nevada Bar No. 8071

2340 W. Horizon Ridge Pkwy., Ste. 100

Henderson, Nevada 89052

*Attorneys for Defendant,*

*WALGREEN, CO.*

#### ORDER

Although the parties cite a unknown rule - Local Rule 2.25 - as the basis for their request, the Court nonetheless finds that the parties have made an adequate showing of good cause under Federal Rule of Civil Procedure 6 and Local Rule 26-3 to extend their deadlines.

**IT IS THEREFORE ORDERED** that the parties' stipulation (ECF No. 40) is **GRANTED**.

**DATED:** 4/1/2024



**DANIEL J. ALBRECHTS**

**UNITED STATES MAGISTRATE JUDGE**

Respectfully Submitted By:

**RANALLI ZANIEL FOWLER & MORAN, LLC**

*Jason Andrew Fowler, Esq.*

**JASON ANDREW FOWLER, ESQ.**

Nevada Bar No. 8071

2340 W. Horizon Ridge Pkwy., Ste. 100

Henderson, Nevada 89052



**From:** Tonya Baltazar  
**To:** Jason Fowler; Mikayla Fritchley; Marcus Berg  
**Cc:** Vicki Driscoll; Vicki Perez; John Funk  
**Subject:** RE: Walgreens adv. Mulugeta - 6300.051  
**Date:** Thursday, March 28, 2024 8:52:11 AM  
**Attachments:** image001.png

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Marcis said you can e-sign for him. Also, please confirm that the deposition of my client is not going forward tomorrow.

---

**From:** Jason Fowler <jfowler@ranallilawyers.com>  
**Sent:** Wednesday, March 27, 2024 4:58 PM  
**To:** Tonya Baltazar <Tonya@mossberglv.com>; Mikayla Fritchley <mfritchley@ranallilawyers.com>; Marcus Berg <Marcus@mossberglv.com>  
**Cc:** Vicki Driscoll <vdriscoll@ranallilawyers.com>; Vicki Perez <vperez@ranallilawyers.com>; John Funk <John@mossberglv.com>  
**Subject:** RE: Walgreens adv. Mulugeta - 6300.051  
**Importance:** High

Counsel,

In light of the global dismissal New SPS Pod LLC, and the parties having now had interaction with the Counsel for the Trustee for Radienz Living, I have revised the proposed stipulation to extend as is attached.

Please advise if we may affix your respective electronic signatures or if you require any revisions. Thank you.

Jason

**Jason Andrew Fowler, Esq.**  
Managing Partner  
**Ranalli Zaniel Fowler & Moran, LLC**  
2340 W. Horizon Ridge Pkwy. # 100  
Henderson, Nevada 89052  
702.477.7774 - Phone  
702.477.7778 - Fax



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FOWLER & MORAN, LLC  
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**From:** Dylan Ciciliano <[dciciliano@Gtg.legal](mailto:dciciliano@Gtg.legal)>  
**Sent:** Wednesday, March 20, 2024 4:27 PM  
**To:** Mikayla Fritchley <[mfritchley@ranallilawyers.com](mailto:mfritchley@ranallilawyers.com)>; Marcus Berg <[Marcus@mossberglv.com](mailto:Marcus@mossberglv.com)>; Tonya Baltazar <[Tonya@mossberglv.com](mailto:Tonya@mossberglv.com)>; [peter.amend@srz.com](mailto:peter.amend@srz.com); [thomas.mott@srz.com](mailto:thomas.mott@srz.com)  
**Cc:** Jason Fowler <[jfowler@ranallilawyers.com](mailto:jfowler@ranallilawyers.com)>; Vicki Driscoll <[vdriscoll@ranallilawyers.com](mailto:vdriscoll@ranallilawyers.com)>; Vicki Perez <[vperez@ranallilawyers.com](mailto:vperez@ranallilawyers.com)>; Tonya Binns <[tbinns@Gtg.legal](mailto:tbinns@Gtg.legal)>  
**Subject:** RE: Walgreens adv. Mulugeta - 6300.051

Mikayla,

Plaintiff and Walgreens have both advised that they are seriously considering dismissing our client from the action. Upon those dismissals being filed, my client will be terminated from the action, such that our signature will be unnecessary. Even if we were to sign, New SPS Pod, LLC does not concede that it is subject to discovery, such that we would want a stipulation that "By signing the stipulation, New SPS Pod, LLC is not waiving any rights, claims or defenses, including its right to seek a stay of discovery, defenses under FRCP 12(b), inclusive of FRCP 12(b)(2)-12(b)(7), and 11 USC 362."

Dylan

Dylan T. Ciciliano, Esq.

Office: 725 777 3000 | Cellphone: 702 371 3256

Email: [dciciliano@gtg.legal](mailto:dciciliano@gtg.legal)

---

**From:** Mikayla Fritchley <[mfritchley@ranallilawyers.com](mailto:mfritchley@ranallilawyers.com)>  
**Sent:** Monday, March 18, 2024 1:52 PM  
**To:** Marcus Berg <[Marcus@mossberglv.com](mailto:Marcus@mossberglv.com)>; Tonya Baltazar <[Tonya@mossberglv.com](mailto:Tonya@mossberglv.com)>; Dylan Ciciliano <[dciciliano@Gtg.legal](mailto:dciciliano@Gtg.legal)>; [peter.amend@srz.com](mailto:peter.amend@srz.com); [thomas.mott@srz.com](mailto:thomas.mott@srz.com)



**Cc:** Jason Fowler <[jfowler@ranallilawyers.com](mailto:jfowler@ranallilawyers.com)>; Vicki Driscoll <[vdriscoll@ranallilawyers.com](mailto:vdriscoll@ranallilawyers.com)>; Vicki Perez <[vperez@ranallilawyers.com](mailto:vperez@ranallilawyers.com)>

**Subject:** RE: Walgreens adv. Mulugeta - 6300.051

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Hi Dylan – I'm following up on the approval to e-sign the attached on your behalf. Please advise if I may do so.

Thank you

**Mikayla Fritchley**

Paralegal

**Ranalli Zaniel Fowler & Moran, LLC**

2340 W. Horizon Ridge Pkwy., Ste. 100

Henderson, NV 89052

Phone: (702) 477-7774 ext. 127

Fax: (702) 477-7778



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FOWLER & MORAN, LLC  
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**From:** Mikayla Fritchley

**Sent:** Friday, March 15, 2024 4:46 PM

**To:** Marcus Berg <[Marcus@mossberglv.com](mailto:Marcus@mossberglv.com)>; Tonya Baltazar <[Tonya@mossberglv.com](mailto:Tonya@mossberglv.com)>;  
[dciciliano@gtg.legal](mailto:dciciliano@gtg.legal); [peter.amend@srz.com](mailto:peter.amend@srz.com); [thomas.mott@srz.com](mailto:thomas.mott@srz.com)

**Cc:** Jason Fowler <[jfowler@ranallilawyers.com](mailto:jfowler@ranallilawyers.com)>; Vicki Driscoll <[vdriscoll@ranallilawyers.com](mailto:vdriscoll@ranallilawyers.com)>; Vicki Perez <[vperez@ranallilawyers.com](mailto:vperez@ranallilawyers.com)>

**Subject:** Walgreens adv. Mulugeta - 6300.051

Hi Marcus and Dylan - Please see the attached Stipulation and Order to Extend. Please advise if you are in agreement with the contents and if I am able to use your e-signature for this stipulation. If you have any questions or concerns, please contact our office.

Thank you!

**Mikayla Fritchley**

Paralegal

**Ranalli Zaniel Fowler & Moran, LLC**

2340 W. Horizon Ridge Pkwy., Ste. 100

Henderson, NV 89052

Phone: (702) 477-7774 ext. 127

Fax: (702) 477-7778



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